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ADJOURNED TO PRIOX
AUGUST 29, 2008 AT 2:30

SO ORDERED.

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July 23, 2008

Via FACSIMILE

The Honorable John G. Koeltl
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 1030
New York, NY 10007

Re: *Commerce and Industry Insurance Company and American International Specialty Lines Insurance Company v. U.S. Bank National Association, as Indenture Trustee for the Registered Holders of FMAC Loan Receivables Trusts 1997-B, 1998-B, 1998-C, 1998-D, and 2000-A, Civil Action No. 1:07 CV 5731 (JGK)(RLE)*

Dear Judge Koeltl:

We represent Plaintiffs Commerce and Industry Insurance Company and American International Specialty Lines Insurance Company (collectively "the Insurers") in this action. We have been advised by counsel for defendant U.S. Bank National Association ("U.S. Bank") that the Court has tentatively scheduled oral argument on Insurers' Motion to Dismiss for Wednesday, July 30, 2008, at 4:30pm. Due to a scheduling conflict, Insurers' counsel is not available on that day and therefore requests that this argument be adjourned. Due to already scheduled hearings in other matters, Insurers' counsel is available for argument on August 12 or 13 or anytime after August 27.

Please advise if any of these dates are acceptable. Please contact Andrew Racca at (202) 429-8179 if there are any questions or concerns regarding the scheduling of this argument.

Respectfully submitted,

Harry Lee

Harry Lee

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| FILED |
| DOC #: |
| DATE FILED: 7/25/2008 |

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July 23, 2008
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cc: Charles Dorkey, Esq. (via facsimile)
Tami Lyn Azorsky, Esq. (via facsimile)